

Message Text

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INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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R 171630Z OCT 75

FM AMEMBASSY COPENHAGEN

TO SECSTATE WASHDC 1671

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY DUBLIN

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E.O. 11652: N/A

TAGS: PINT PGOV ELAB DA

SUBJECT: GOVERNMENT CRISIS THREATENED

REF: COPENHAGEN 2609

SUMMARY: AN UNEXPECTED CHALLENGE TO
THE MINORITY SOCIAL DEMOCRATIC GOVERNMENT OF ANKER JORGENSEN
HAS ERUPTED IN PARLIAMENT OVER THE RELATED LABOR ISSUES OF
PHYSICAL HARASSMENT BY PICKETERS OF NON-UNION WORKERS AND
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THE CLOSED SHOP. THE ISSUES ARE COMPLICATED AND APPEAR TO

TURN ON THE LACK OF PRECISE LEGISLATION (1) TO ASSURE WORKERS ACCESS TO THEIR PLACES OF EMPLOYMENT, AND (2) TO EITHER PERMIT OR OUTLAW THE CLOSED SHOP. THE MODERATE LEADERS OF THE GOVERNMENT AND TRADE UNION FEDERATION (LO) HAVE BEEN EMBARRASSED BY THE HARASSMENT BUT HAVE BEEN OBLIGED TO CALL FOR PROTECTION OF "UNION RIGHTS". THE ROLLING SERIES OF LABOR DISPUTES HAVE RECEIVED MUCH PRESS ATTENTION AND, FOR THE FIRST TIME, THERE APPEARS TO BE SERIOUS INTEREST ON THE PART OF THE OTHER NON-SOCIALIST PARLIAMENTARY PARTIES IN A PERENNIAL PROPOSAL OF THE CHRISTIAN PEOPLES PARTY TO REMEDY BOTH LEGAL DEFECTS NOTED ABOVE. IF THESE PARTIES WOULD AGREE, THE GOVERNMENT COULD BE FACED WITH DEFEAT ON AN "IMPORTANT ISSUE" AND FORCED TO RESIGN.

FOR A VARIETY OF REASONS, THE MOST IMPORTANT OF WHICH IS THAT ALL PARTIES ARE LOATHE TO FACE GENERAL ELECTIONS NOW, SUCH A CONFRONTATION PROBABLY WILL NOT OCCUR. BUT THIS CASE EXEMPLIFIES THE VULNERABILITY OF THE DANISH MINORITY GOVERNMENT AS UNEXPECTED EVENTS FORCE POLITICAL PARTIES TO TAKE POSITIONS ON PRINCIPLE THEY WOULD WISH TO AVOID PARGMATICALLY. END SUMMARY.

1. THE BREATHING SPELL WHICH THE MINORITY SOCIAL DEMOCRATIC GOVERNMENT GAINED BY THE ECONOMIC COMPROMISE ACHIEVED IN SEPTEMBER (REFTEL) HAS BECOME THREATENED BY A SERIES OF CONFLICTS, RELATIVELY MINOR IN THEMSELVES, WHICH HAVE RACKED THE DANISH LABOR SCENE OVER THE LAST FEW WEEKS AND COULD THREATEN THE VIABILITY OF THE GOVERNMENT ITSELF. THE BACKGROUND OF THESE DISPUTES IS COMPLICATEC BUT MUST BE DESCRIBED TO APPRECIATE THE POSITION THAT THE VARIOUS PARTIES MAY FEEL OBLIGED TO TAKE IN THE FOLKETING (PARLIAMENT). OUR UNDERSTANDING OF THIS SITUATION IS BASED ON CONVERSATIONS WE HAVE HAD WITH A SOURCE IN THE DANISH TRADE UNION FEDERATION (LO), JOHN SVENNINGSSEN, AND THE LEADER OF THE CHRISTIAN PEOPLE'S PARTY, JENS MOLLER, AS WELL AS PRESS ACCOUNTS.

2. THE LABOR DISPUTES, SOMETIMES INVOLVING FIGHTS AND POLICE INTERVENTION, HAVE TAKEN PLACE AT A NUMBER OF RELATIVELY SMALL FACTORIES WHOSE WORK FORCES WERE NOT, AND APPARENTLY DO NOT WISH TO BE, UNIONIZED. CERTAIN LIMITED OFFICIAL USE

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ELEMENTS, POSSIBLY FROM INDIVIDUAL UNIONS OF THE LO WHOSE LEADERSHIP IS IN THE HANDS OF THE COMMUNISTS, HAVE "BLOCKADED" THE COMPANIES IN QUESTION WITH PICKETERS IN ATTEMPTS - SOMETIMES SUCCESSFUL, SOMETIMES NOT - TO PREVENT THE NON-UNIONIZED WORKERS FROM ENTERING OR LEAVING THEIR PLACES OF WORK.

3. THE MODERATE LO LEADERSHIP HAS BEEN EMBARRASSED BY

THE EXTENT TO WHICH THESE CONFLICTS HAVE BEEN CARRIED BUT FEELS ITSELF INHIBITED TO SPEAK OUT AGAINST THE BLOCKADES. OUR LO SOURCE TOLD US A FEW DAYS AGO, AND IT HAS SINCE BEEN CONFIRMED BY A PUBLIC ANNOUNCEMENT, THAT THE LEADERS DECIDED THAT ONE WAY OUT OF THE DILEMMA IS TO FOCUS UNION ACTION AWAY FROM PHYSICAL HARASSMENT OF THE WORKERS TO SECONDARY BOYCOTTS (WHICH ARE ALLOWABLE UNDER DANISH LAW) TO PREVENT THE "OFFENDING COMPANIES" FROM GETTING NEEDED RAW MATERIALS, SUPPLIES, ETC. PRIME MINISTER ANKER JORGENSEN, CALLED TO ANSWER A QUESTION FROM THE FLOOR BY CONSERVATIVE LEADER POUL SCHLUTER ON OCTOBER 15, FOLLOWED THE SAME LINE, DEFENDING BASIC UNION RIGHTS BUT AT THE SAME TIME PLEDGING PROPER ACTION BY PUBLIC AUTHORITIES AGAINST ANY USE OF VIOLENCE.

4. CURIOUSLY, IT APPEARS DOUBTFUL WHETHER DANISH LAW IS EXPLICIT ENOUGH EITHER TO PREVENT SUCH BLOCKADES OR TO AUTHORIZE LEGAL POLICE INTERVENTION WHEN THEY OCCUR. FURTHERMORE, DANISH LABOR LAW (WHICH JENS MOLLER CHARACTERIZED AS "BYZANTINE") EVIDENTLY IS SILENT ON THE LEGALITY OF WHAT WE WOULD CALL THE "CLOSED SHOP". ANTI CLOSED-SHOP CLAUSES ARE ROUTINELY INCLUDED IN THE BIENNIAL UMBRELLA CONTRACTS CONCLUDED BETWEEN THE LO AND THE EMPLOYERS' FEDERATION. MOLLER ASSERTED THAT IN SPITE OF THEIR INCLUSION THEY ARE REGULARLY IGNORED DUE TO THE DESIRE OF BOTH THE INDIVIDUAL EMPLOYER AND LABOR UNION TO AVOID COSTLY WORK STOPPAGES.

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5. THE COMPANIES INVOLVED IN THE PRESENT CONTROVERSY ARE ALL RELATIVELY SMALL AND ARE NOT MEMBERS OF THE EMPLOYERS' FEDERATION. HENCE THEY ARE "UNPROTECTED" EITHER BY THE NORMAL ANTI CLOSED-SHOP PROVISIONS OF THE UMBRELLA CONTRACT OR BY DANISH LAW.

6. AT EACH OF THE LAST THREE SESSIONS OF PARLIAMENT, THE CHRISTIANS -- ONE OF WHOSE PRIMARY CONCERNS IS WHAT THEY REGARD AS CAUSES OF INDIVIDUAL FREEDOM -- HAVE INTRODUCED BILLS INTO THE FOLKETING DESIGNED TO (A) ASSURE THE LIMITED OFFICIAL USE

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FREEDOM OF WORKER ACCESS TO THEIR PLACES OF EMPLOYMENT, AND (B) IN EFFECT, OUTLAW THE CLOSED SHOP ON A NATIONAL BASIS. THE ROLLING SERIES OF LABOR DISPUTES DESCRIBED ABOVE, WHICH HAVE RECEIVED HEAVY PRESS PLAY, HAVE DRAMATIZED THE PRESENT SITUATION AND HAVE MADE THE CHRISTIAN PROPOSAL A MORE SERIOUS THREAT TO THE LO AND THEIR BROTHER SOCIAL DEMOCRATS THAN HERETOFORE. IN FACT, OVER THE LAST WEEK, MEETINGS AMONG THE NON-SOCIALIST PARTIES (EXCEPT FOR MOGENS GLISTRUP'S PROGRESSIVES) HAVE OCCURRED TO DISCUSS THE BILL SUBMITTED THIS YEAR BY THE CHRISTIANS WHICH HAS ALREADY OBTAINED THE FORMAL SUPPORT OF THE CONSERVATIVE PARTY. THE POSITION OF THE CENTER DEMOCRATS AND RADICALS IS IN DOUBT AS IS THAT OF THE SECOND LARGEST PARTY IN THE CHAMBER, THE LIBERALS. IF THE ANTI-SOCIALIST PARTIES COULD AGREE, THEY COULD EASILY PASS THESE MEASURES AND THE GOVERNMENT COULD BE FACED WITH A DEFEAT ON AN "IMPORTANT ISSUE" AND FORCED TO RESIGN.

7. THIS IS UNLIKELY TO OCCUR. MOST IMPORTANTLY, NONE OF THE PARTIES WANTS ELECTIONS NOW AND, IN FACT, ALL WERE RELIEVED AT THE CONCLUSION OF THE SEPTEMBER ECONOMIC COMPROMISE WHICH SEEMED TO LESSEN SUBSTANTIALLY THE CHANCES

FOR EARLY ELECTIONS. FURTHERMORE, APPARENTLY BOTH THE RADICALS AND LIBERALS HAVE TACTICAL POLITICAL AND PERHAPS PHILOSOPHICAL PROBLEMS IN ASSOCIATING THEMSELVES WITH LEGISLATION OUTLAWING THE CLOSED SHOP. FINALLY, AFTER SOME INTERNAL AGENIZING, THE LO LEADERSHIP APPARENTLY DECIDED THAT THE SITUATION HERE WAS NOT THREATENING ENOUGH TO PREVENT THE SCHEDULED DEPARTURE THIS WEEK OF PRESIDENT THOMAS NIELSEN AND OTHERS FOR MEXICO TO ATTEND AN INTERNATIONAL LABOR MEETING.

8. JENS MOLLER BELIEVES, HOWEVER, THAT AGREEMENT AMONG THE NON-SOCIALIST PARTIES ON APPROPRIATE LANGUAGE CAN BE ACHIEVED AND THAT AN INSTRUMENT CONTAINING BOTH OBJECTIVES (FREEDOM OF ACCESS TO PLACES OF WORK AND OUTLAWING OF THE CLOSED SHOP) WILL BE TABLED IN PARLIAMENT. THIS WOULD, HOWEVER, BE IN THE FORM OF A RESOLUTION NOT A PROPOSED LAW. SUCH A RESOLUTION WOULD CALL ON THE SOCIAL DEMOCRATIC GOVERNMENT ITSELF TO PROPOSE LEGISLATION TO IMPLEMENT THE RESOLUTION. IN THIS WAY, PARTIES TO THE CONUNDRUM WOULD LIMITED OFFICIAL USE

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HAVE A POLITICALLY ACCEPTABLE WAY OUT AND THE LEGISLATION, WHEN PROPOSED, COULD ITSELF BE THE SUBJECT OF FURTHER NEGOTIATION.

9. THESE PARLIAMENTARY RUMBLINGS HAVE CAUSED FURTHER WORKER DEMONSTRATIONS AND A 24-HOUR TYPOGRAPHERS STRIKE STOPPED PUBLICATION OF COPENHAGEN'S FOUR MAJOR NEWSPAPERS ON OCTOBER 16. THE DECLARED PURPOSE OF THE STRIKE WAS TO WARN PARLIAMENTARIANS AGAINST INTERVENTION IN WORKERS' ESTABLISHED RIGHTS.

10. THIS CONTROVERSY, UNDERSTOOD ONLY ON AN EMOTIONAL BASIS BY MANY OF THOSE DIRECTLY INVOLVED, IS A GOOD EXAMPLE BOTH OF AREAS WHERE NEW LABOR LAW AND/OR PRACTICE IS NEEDED AND OF THE VULNERABILITY OF A MINORITY GOVERNMENT. ALTHOUGH THE PRACTICES UNDER OBJECTION HAVE GONE ON FOR SOME YEARS, NONE OF THE PARTIES IN THE FOLKETING EXPECTED THEM TO ERUPT NOW IN SUCH A DRAMATIC MANNER. BUT A COMBINATION OF THE PERSISTENCY OF THE CHRISTIAN PEOPLES PARTY, A RELATIVELY HIGH UNEMPLOYMENT RATE COUPLED WITH BUSINESS RECESSION, AND PUBLIC INTEREST EXCITED BY THE PRESS HAVE CREATED AN ISSUE WHICH COULD HAVE FORCED - MAY YET STILL - THE POLITICAL PARTIES TO TAKE POSITIONS ON PRINCIPLE THEY WISHED TO AVOID ON GROUNDS OF EXPEDIENCY.
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